

PILLSBURY WINTHROP SHAW PITTMAN LLP
THOMAS V. LORAN III #95255

thomas.loran@pillsburylaw.com

ANDREW BLUTH #232387

abluth@pillsburylaw.com

LAURA C. HURTADO #267044

laura.hurtado@pillsburylaw.com

Four Embarcadero Center, 22nd Floor

Post Office Box 2824

San Francisco, CA 94126-2824

Telephone No.: (415) 983-1000

Facsimile No.: (415) 983-1200

AMERICAN CIVIL LIBERTIES UNION

FOUNDATION OF NORTHERN CALIFORNIA

JULIA HARUMI MASS #189649

jmass@aclunc.org

LINDA LYE #215584

llye@aclunc.org

39 Drumm Street

San Francisco, California 94111

Telephone No.: (415) 621-2493

Facsimile No.: (415) 255-8437

Attorneys for Plaintiffs

DENNIS JOSEPH RAIMONDO and

ERIC ANTHONY GARRIS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DENNIS JOSEPH RAIMONDO (a.k.a.
JUSTIN RAIMONDO), an individual, and
ERIC ANTHONY GARRIS, an individual,

Plaintiffs,

vs.

FEDERAL BUREAU OF
INVESTIGATION,

Defendant.

No. 13-02295 JSC

[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION TO COMPEL
DISCOVERY RESPONSES FROM
DEFENDANT FEDERAL BUREAU
OF INVESTIGATION

Date: April 2, 2015

Time: 9:00 a.m.

Ctrm. F, 15th Fl.

Judge: Jacqueline Scott Corley

The motion of Plaintiffs Dennis Joseph Raimondo and Eric Anthony Garris (“Plaintiffs”) to compel further responses to written discovery came on for hearing on April 2, 2015 before this Court. Plaintiffs and Defendant appeared through their respective counsel of record. After the hearing, the matter was submitted to the Court for a ruling. Having read and considered the supporting and opposing points and authorities, and heard and considered the arguments of counsel, and good cause appearing therefor, the Court enters the following Order:

Plaintiffs’ Motion to Compel is **GRANTED**. Defendant is ordered to provide further responses to the following written discovery requests within seven (7) days of the date of this Order:

- **Garris Interrogatory No. 3:** Identification of person who drafted January 2002 Memo, including specific contact information requested by response (see definition of IDENTIFY contained in Garris’s First Set of Interrogatories).
- **Raimondo Interrogatory No. 5:** Further response (other than mere reference to a document) that includes information withheld based on assertion of law enforcement privilege and on assertion of “classified” as a privilege. Further response over “vague and ambiguous” objection. Further response over objection “to the extent” request calls for a legal conclusion.
- **Raimondo Interrogatory No. 6:** Substantive response that includes information withheld based on assertion of law enforcement privilege and on assertion of “classified” as a privilege. Further response over “vague and ambiguous” objection. Further response over objection “to the extent” request calls for a legal conclusion.
- **Raimondo Interrogatory No. 7:** Substantive response that includes information withheld based on assertion of law enforcement privilege and on assertion of “classified” as a privilege. Further response over “vague and ambiguous” objection. Further response over objection “to the extent” request calls for a legal conclusion.
- **Raimondo Interrogatory No. 8:** Substantive response that includes information withheld based on assertion of law enforcement privilege and on assertion of “classified” as a privilege. Further response over “vague and ambiguous” objection.

Further response over “compound” objection. Further response over objection “to the extent” request calls for a legal conclusion.

- **Raimondo Interrogatory No. 9:** Further response providing contact information for each person identified in response to this interrogatory (see definition of IDENTIFY contained in Raimondo’s First Set of Interrogatories). Further response over objection “to the extent” request calls for a legal conclusion.
- **Raimondo Interrogatory No. 10:** Further response providing contact information for each person identified in response to this interrogatory (see definition of IDENTIFY contained in Raimondo’s First Set of Interrogatories). Further response over “vague and ambiguous” objection. Further response over objection “to the extent” request calls for a legal conclusion.
- **Raimondo Interrogatory No. 11:** Substantive response that includes information withheld based on assertion of law enforcement privilege and on assertion of “classified” as a privilege. Further response over “vague and ambiguous” objection. Further response over “overly broad and unduly burdensome” objection. Further response over objection “to the extent” request calls for a legal conclusion.
- **RFP No. 3-4:** Complete or less redacted production of documents marked Antiwar 57-66 (the April 30 Memo), Antiwar 1-6, and Antiwar 7-16. Information must not be withheld based on (i) assertion of law enforcement privilege or (ii) privacy objection or (iii) based on assertion of “classified” as a discovery privilege (only as to Antiwar 57-66), *except* case file numbers may be withheld. Production of information over “vague and ambiguous” objection. Production of any information withheld based on “overly broad and unduly burdensome” objection. Production of any information withheld

1 based on refusal to respond to request “to the extent” request calls for a legal
2 conclusion.

3 IT IS SO ORDERED.

4
5 Dated: _____

6 Hon. Jacqueline Scott Corley
7 United States Magistrate Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28